# THE INSOLENCE OF THE DISSENTERS Against the Eſtabliſh'd Church; Exemplified in a MEMORIAL Given in to the Lords Juſtices of *Ireland*, by His Grace the Lord Primate, and the Lord Biſhop of *Down* and *Connor*.

Together with the ſaid Memorial, and Depoſitions annex'd; and the Repreſentation of the Grand Jury of the County of *Antrim*, and the Report of the Judges of Aſſize for the North Eaſt Circuit of *Ulſter*.

*LONDON*,
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# TO
# Their Excellencies
# THE
# LORDS JUSTICES
# OF
# IRELAND:

The Memorial of *Thomas* Lord Archbiſhop of *Armagh*, *Primate* and *Metropolitan* of all *Ireland*, and *Edward* Lord Biſhop of *Down* and *Connor*.

*Humbly Sheweth*,

'THAT the Clergy and Others, who 'are Members of the Church, as by 'Law Eſtabliſhed, in the Dioceſe of '*Connor* and Province of *Ulſter*, have of late ſuf-'fered great Hardſhips, by having their Houſes 'ſearched as Diſaffected Perſons, and thoſe Arms 'which they kept for their neceſſary Defence 'taken from them; and in ſome Caſes by ſuch 'who ſeem not to have had any Lawful Autho-'rity ſo to do; and that the Diſſenters, who have

'always been Treated with much Tenderneſs by 'Us, have been very Active in carrying on, and 'chiefly concerned in theſe Practices; in which 'they have been aſſiſted by one Mr. *Porter* a '*Presbyterian* Teacher.

'By theſe Means many of the Clergy in thoſe 'Parts who have behaved themſelves Loyally to 'His Majeſty King GEORGE, and given all the 'Security to the Government, to be True to the 'Proteſtant Succeſſion in the Houſe of HANOVER, 'which the Law requires; have been much diſ-'couraged in the Performance of their Religious 'Offices and Duty; and their People have been 'terrified from coming to the Publick Prayers 'and Service, as may more evidently appear to 'Your Lordſhips by the Annexed Depoſitions.

'We thought it our Duty to lay theſe mat-'ters before Your Excellencies, whoſe Affection 'to the Eſtabliſhed Church, will, We queſtion 'not, incline You to take Care of thoſe in Her 'Communion, by providing proper Remedies 'for the Evils complain'd of, and preventing 'the like Uſages for the future.

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The following Examinations were Annexed to the above Memorial.

[Com. *Antrim.* ff.]

*The Depoſition of the Reverend Mr.* Geoffry Fanning *of* Benvarden, *in the ſaid County; who being duly Sworn and Examined, ſaith,*

THAT on *Wedneſday* the firſt of this Inſtant *February*, ſeven Men Arm'd (all of them *Presbyterians*, as this Deponent verily believeth) came to this Deponent's Houſe; and without an High or Petty Conſtable, or any other Officer, Civil or Military, but pretending to have a Warrant from the High Conſtable, ſearched the ſame moſt narrowly, Peeping into every dark Corner, Turning up Beds, and Commanding Trunks and Preſſes to be op'ned to them: And when this Deponent expoſtulated with one of them for uſing a Clergyman in that Manner; *David Snell* of *Ballymoney* (who was one of the Party) told this Deponent, That they had Orders from the High Conſtable to ſerve the reſt of the Neighbouring Clergy in the ſame Manner. And the ſaid Party having after the moſt diligent Search found nothing they could juſtly find fault with, ſave one Gun which this Deponent had for the Defence of his Houſe, they carrry'd away the ſame, and have detained it ever ſince.

And this Deponent farther ſaith, That on *Sunday* following, ſome of his Pariſhioners told him, *That the intollerable Inſolence of* Diſſenters, *did almoſt frighten them from owning themſelves to be* Churchmen; and ſince that time, to this Deponent's

ponent's great Sorrow, his Congregation hath been much thinner than formerly, and farther ſaith Not.

*Capt. & Jurat. Coram me*
*27 die Februarij*, 1715-16. *Geoffry Fanning.*
Archibald Stewart.

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[Com. *Antrim*, ſſ.]

*The Depoſition of the Reverend Mr.* James Smyth, *of* Balentoy *in the ſaid County, who being duly Sworn and Examined, ſaith,*

THAT on *Saturday* the Fourth of this Inſtant, being told the Sub-Sheriff and a great Number of the Militia in Arms, were come to Town, this Deponent went to them, and deſired to know the Reaſon of their coming; and was told, they came to Search for Arms, and to take up Suſpected Perſons; upon which this Deponent ſaid, he hoped they would find few ſuch Perſons among us; but was anſwered, *That is, as time ſhall Try.* Upon which the Sub-Sheriff and one called Captain *Boyd*, went directly to *Balentoy*-Houſe, and were followed by ſeveral of the *Militia*; but this Deponent telling the Sub-Sheriff, there were Gentlewomen in the Houſe with Child, who perhaps might be frightned at the ſight of ſo many Armed Men, he prevail'd with him to order them to ſtay at the Door. Then the Sub-Sheriff

Sheriff ſaid he had Orders to Search the Houſe, and this Deponent told him, we were very ready to ſubmit to any Lawful Authority, and glad, if we were Suſpected, of ſuch an Opportunity of vindicating our Selves, and ſhewing our Innocence. Whereupon the Kitchen, Cellars, Lodging Rooms, Cloſets, and Garrets, were all ſearched by the Sub-Sheriff, who took an Account of the Arms as he paſſed along, even to the Fowling Pieces of this Deponent and others. When the Search was over, this Deponent (who had accompany'd the Sub-Sheriff through the ſeveral parts of the Houſe) return'd with him to the Hall, where Captain *Boyd* with a good many of the Militia then were; and the ſaid Captain *Boyd* told the Sub-Sheriff, that he had not ſearched half enough, and affirm'd that there were ſeveral ſuſpected Perſons conceal'd in the Houſe: Whereupon this Deponent preſſed and inſiſted upon it, that the Houſe might be ſearched again, That no ſuch Reflection might lye upon the Family, but could not prevail with them to do it. Then the Sub-Sheriff told this Deponent, That he muſt give an Account of the Arms he had found, and hoped they would be delivered upon Demand; to which this Deponent reply'd, that the Arms were for the moſt part Mr. *Stewart's*, who was then Abroad, but that they ſhould be Secured till he came. Soon after the High-Sheriff coming to Town, this Deponent waited on him, and brought him, and ſome others into the Houſe; and told him of the Searching of the Houſe; but the High-Sheriff ſaid it was not done by his Orders, but by the Direction of ſome Juſtices of the Peace; upon which this Deponent ſaying, it was very

very unkind Treatment to a Brother of the ſame Bench, and a Clergyman: The High-Sheriff and Mr. *Moor* of *Antrim*, Reply'd, They had Information of ſeveral ſuſpected Perſons being concealed in the Houſe, which obliged this Deponent to renew his Solicitations to have the Houſe ſearched again, but with as little Succeſs as before. This Deponent then intreated the High-Sheriff to ſuffer the Arms to remain in the Houſe till Mr. *Stewart* return'd, which he at laſt conſented to. And this Deponent farther ſaith, he was told that one of the Perſons who came with the Sheriff was a *Diſſenting* Teacher, and farther ſaith Not.

*Capt. & Jurat. Coram me*
28 *die Februarij*, 1715-16. *James Smyth.*
Archibald Stewart.

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[Com. *Antrim.* ſſ]

*The Examination of the Reverend Mr.* John Martin, Curate *of* Balentoy, *who being duly Sworn and Examined, ſaith,*

THAT on *Saturday*, the 11th of this Inſtant *February*, the Sub-Sheriff, Mr. *Porter* the *Diſſenting* Teacher of *Buſh-Mills*, and ſome others, with a Guard of about Thirty Armed Men, all *Presbyterians*, as this Deponent believes, came to this Deponent's Houſe and ſearched it very narrowly; and being demanded what they wanted, ſaid,

ſaid, it was this Deponent's Son, tho' by the ſtrictneſs of their Search it appeared they had ſome other Views. This Deponent farther ſaith, that on the *Monday* after the ſaid Search, he carried his ſaid Son, and another Relation of his, who lived in his Neighbourhood, and was alſo ſought after, to *Balymoney*, in order to give Bail for their Appearance at the next Aſſizes, but miſſing the High Sheriff and Juſtices there, and being told they would not be admitted to Bail, this Deponent returned to his own Houſe, and farther ſaith Not.

*Capt. & Jurat. Coram me*
*27 die Februarij*, 1715-16. *John Martin.*
Archibald Stewart.

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[Com. *Antrim.* ſſ.]

*The Examination of* Alexander Mc. Aleſter, *Servant to the Reverend Mr.* John Martin *of* Attinacormick, *who being duly Sworn and Examined, ſaith,*

THAT when the Sub-Sheriff, and others came to ſearch his Maſter's Houſe, this Deponent was deſired by a ſober diſcreet Man to give him a little Hay, which this Deponent did, but another of the ſame Party coming up, ſaid, what the Devil, ſhall we get no Hay for our Horſes, and ordered this Deponent to go back and bring him ſome Hay; which this Deponent

refuſing, he told him, if he did not go, he would make him, for that now the Day was turned. After which, this Deponent going into his Maſter's Houſe, ſaw the Men ſearching every where very narrowly for Arms, and one of them ſeeing a Dead *Sea-Gull* in the Houſe, ſaid, he could Swear there were Arms in the Houſe, tho' they could not find them, for that *Sea-Gull* was a ſign of them, and farther ſaith Not.

*Capt. & Jurat. Coram me*
*27 die Februarij*, 1715-16. *Alexander Mc. Aleſter.*
Archibald Stewart.

T O

# TO
# Their Excellencies
## THE
# LORDS JUSTICES
## OF
# IRELAND:

The Report of the Judges of Aſſize for the North-Eaſt Circuit of *Ulſter*, on the Memorial of the Lord *Primate*, and Lord Biſhop of *Down* and *Connor*.

*May it pleaſe Your Excellencies*,

IN Obedience to your Excellencies Order, bearing Date the 22d of *March*, 1715. directing us to make the ſtricteſt Inquiry into the ſeveral Matters ſet forth in a Memorial of his Grace the Lord Primate of all *Ireland*, and the Lord Biſhop of *Down* and *Connor*, and in the Examinations annexed to the Memorial, and to proceed according to Law againſt thoſe who had committed any of the Miſdemeanors therein mention'd; and upon our Return to *Dublin*, to make a particular Report in Writing to your Excellencies, of every par-

ticular Fact contain'd in the ſaid Memorial and Examinations, and of our Proceedings thereon.

We the laſt going Judges of Aſſize for the North-Eaſt Circuit of *Ulſter*, crave leave to inform your Excellencies, that we proceeded in the aforeſaid Matters referr'd to us, in the following Manner.

On *Wedneſday* the 28th Day of *March* laſt, being the common Day for holding the Aſſizes at *Carrickfergus* for the County of *Antrim*, as ſoon as the Perſons returned by the Sheriff to ſerve as Grand Jurors appeared, and before they were ſworn, we acquainted the Country in open Court, that Complaint had been made to your Excellencies by the Lord Primate, and the Lord Biſhop of *Down* and *Connor*, that in the Dioceſe of *Connor*, the Clergy, and others, who are Members of the Eſtabliſh'd Church, had of late ſuffered great Hardſhips.

I. That their Houſes were ſearch'd as diſaffected Perſons.

II. That thoſe Arms were taken from them which they kept for their neceſſary Defence.

III. That ſuch Arms were taken by Perſons who ſeem'd, in ſome Caſes, not to have had any lawful Authority ſo to do.

IV. That the Diſſenters, particularly one Mr. *Porter*, a Presbyterian Teacher, have been very active, and chiefly concern'd in theſe Practices.

V. That by theſe Means, many of the Clergy in that County who had behaved Loyally to King GEORGE, had been much diſcouraged in the Performance of their Religious Offices and Duty. And,

VI.

VI. That their People had been terrify'd from going to the Publick Prayers and Service.

We then acquainted Mr. *Archibald Stewart*, Clerk, (who was in Court, and had been appointed by the Biſhop of *Down* and *Connor*, to proſecute this Complaint) that if he, or any other Perſon who apprehended himſelf concern'd in any of the Matters complain'd of in the Memorial, had any reaſonable Objection againſt any Perſons who were return'd to ſerve on the Grand Jury, and would make the ſame before they were Sworn, that ſuch Perſons ſhould not be Sworn on the Grand Jury; whereupon Mr. *Archibald Stewart* excepted againſt *William Moor*, Eſq; a Juſtice of the Peace in that County, againſt Mr. *Moor* his Son, and againſt Mr. *Boyd*, Perſons who had been return'd, and they were ſet aſide; *Clotworthy Upton*, Eſq; alſo, who was return'd, deſired to be excuſed from ſerving on that Grand Jury, and was accordingly excuſed, and no Man was Sworn on the Grand Jury againſt whom Mr. *Archibald Stewart*, or any other of the Clergy then preſent, made the leaſt Objection.

After the Grand Jury was Sworn, the Lord Chief Juſtice *Forſter*, among other Articles by him given in Charge, directed the Grand Jury to make ſtrict Inquiry into the Matters complained of by the ſaid Memorial, and inform'd them, that if they found the Clergy of the Eſtabliſh'd Church had been diſcouraged in the Performance of their Religious Offices, or that the Laiety had been deterred from going to the Publick Prayers or Service of the Church, it was their Duty to preſent thoſe Perſons who had ſo terrified

terrified and diſcouraged the Members of the Eſtabliſhed Church; That His Majeſty's Commiſſion was ſent into the Country to relieve the Oppreſſed, to puniſh ſuch as had tranſgreſſed the Laws; That your Excellencies had directed the Judges to aſſure them His Majeſty's ſolemn Ingagements to ſupport the Eſtabliſh'd Church, ſhould be inviolably obſerv'd in the whole Courſe of your Adminiſtration; after which, and before the Grand Jury withdrew, we directed the Clerk of the Crown to lay before them all Examinations which were return'd to him, and which any way related to the Fact contained in the Memorial, with Bills of Indictment drawn thereon; but were told by Mr. *MacMullan*, Clerk of the Crown, That no Examinations relating to that Matter, were returned into his Office, nor any Recognizance to proſecute on that Account. We then thought it neceſſary for the better direction of the Grand Jury, in their Enquiry, to order a Tranſcript of the Copy of the Memorial, and of the Examinations thereto annexed, ſent to us by Your Excellencies, to be laid before the Grand Jury, and acquainted the Parties concerned, that the Court would proceed to the Examination of Witneſſes to the Matters complained of, at Four of the Clock in the Afternoon next Day in open Court and in the Preſence of the Grand Jury, to which no Perſon objected.

After the Court was adjourned, Mr. *Archibald Srewart* deſired he might have Summons to oblige Witneſſes to appear; which were immediately ordered, and at the ſame time ſaid, he

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hould be ſtreightned in Time if the Examina-ions was not put off till *Friday*; and on Mo-ion made the next Morning in Court, further ime was given him till *Friday* the 30th of *March* in the Afternoon.

On *Thurſday* Morning as we were going to Church, Mr. *Archibald Stewart* came to us in our Lodging, and took occaſion to expreſs his Con-cern, that Mr. *Porter* the Diſſenting Teacher was named in the Memorial, being, as he ſaid, con-vinced, on Enquiry, that he had no Hand in the Search at *Balentoy* Houſe, that he believed the inſerting his Name therein, proceeded from ome miſtake of the Biſhop of *Down*; that he did not look on the Search made at *Balentoy* Houſe, to have been of ſuch Conſequence as to receive ſo ſolemn an Examination; nor had he thought of ſending up a Complaint thereof, be-fore the Biſhop of *Down* wrote to him about it; and by another Letter, directed to him to ſend to his Lordſhip Examinations on Oath of that and other Searches which had been made in that County, which he accordingly did, by ſending for and Examining the Perſons whoſe Houſes had been ſearched. He told us it was his Deſire no further Inquiry ſhould be made into that mat-er; but it was not in our power to diſpence with Your Excellencies Orders, commanding us o examine the Allegations in the Memorial.

We take leave further to acquaint Your Ex-ellencies, that when Mr. *Stewart* firſt applyed for longer Day, he produced a Letter from the iſhop of *Down*, dated *Dublin* the 24th of *March*, 1715. in which his Lordſhip took No-

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tice that by a former Letter directed to M *Stewart* at *Balentoy*, his Lordſhip had given hi an Account that the Government had directe the Judges of Aſſize to examine the Complai which the Lord Primate and He had offere to Your Excellencies, and by the Letter pro duced to us, intimated to Mr. *Stewart*, th Matters or Points we were order'd by You Excellencies to examine; That Mr. *Stewar* and the reſt of his Lordſhip's Brethren, migh be prepared to lay their Grievances before th Judges. His Lordſhip therein expreſs'd h Fear, that they would be ſtreightned in Tim to have Witneſſes ready, and all Things dul prepared for a Hearing; and concludes wit his Prayers, that God would direct him, th ſaid Mr. *Stewart*, to plead the Cauſe of the in jured Church.

Therefore, to remove the Difficulties hi Lordſhip apprehended, we reſolved to give M *Stewart* all the Time in our Power, and told him on *Thurſday* Morning the 29th of *March*, if h apprehended he ſhould be ſtreightned in Tim to prove the Facts complained of, one of th Judges would remain at *Carrickfergus* till *Tueſda* following, rather than he ſhould be ſurprized o unprepared: But Mr. *Stewart* ſaid, he would b ready to proceed on *Friday* in the Afternoon. O *Friday* Morning ſeveral Officers of the Cuſtom Houſe came on their Tryal for uttering ſeditio ous Words againſt his Majeſty, in favour of th *Pretender*; which Tryals continued till it wa late that Night.

On *Saturday* the 31ſt of *March*, the Court pro ceeded

ceeded to examine Witneſſes to the Fact contained in the Memorial, and in the Examinations thereto annexed in the preſence of the Grand-Jury, at which Time Mr. *Archibald Stewart*, and others of the Clergy attended, and Dr. *William Tiſdall* acquainted the Court, he came thither to aſſiſt his Brethren the Clergy who were concerned in that Inquiry, and deſired he might be allowed to propoſe Queſtions to the Witneſſes, in which the Court indulged him, tho' there were Council retained on both ſides, who appeared and managed the Cauſe.

The Court then directed the Memorial to be read, which being done, two or three of the Grand Jury, and particularly the Honourable Mr. *Chicheſter*, their Fore-man, and *John O Neale*, Eſq; declared their ſurprize, that the Matter contained in the Memorial could have happen'd in that Country without the Knowledge or Privity of any of them, and declared that the *Diſſenters* in their Neighbourhood were very quiet and peaceable in their behaviour to thoſe of the Eſtabliſhed Church.

We foreſeeing that the Evidence might be long: to prevent Miſtake, order'd Mr. *Mac-Mullan* to take the Evidence of the ſeveral Witneſſes in Writing as they deliver'd it in Court, and to read the Depoſitions ſo taken aloud, to the Perſon examined: to the End every Deponent might rectify any Miſtake in reducing his Teſtimony into Writing; which was performed by Mr. *Mac-Mullan* with great Care: and the Depoſitions by him taken, were read over by the Deponents, and allowed by them to contain

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the Senſe and Meaning of what they had ſworn. Mr. *John Ker*, Clerk of the *Niſi Prius*, was ordered, the ſame Time to take Notes of the Evidence, which he accordingly did.

Mr. *Jeffery Fanning*, a Clergyman, whoſe Examination was formerly taken and annex'd to the Memorial, was produced by the Council who were for the Memorial; he depoſed that his Houſe, on the firſt of *February* laſt, was ſearched for Arms by a parcel of armed Men, who ſaid they were ſent by the High-Conſtable of *Ballymony*, to ſearch for Arms, believes all who made the ſearch were *Diſſenters*; they ſhew'd no Warrant, neither did Mr. *Fanning* demand a ſight of their Warrant, but they ſaid they came from the High-Conſtable to ſearch in all ſuſpected Places for Arms: Mr. *Fanning* bid his Servant Maid *Nola Mac-Murphy*, to ſhew them his Rooms; they went with her to ſearch above Stairs, whilſt Mr. *Fanning* remained below in his Parlour; when they returned down Stairs, they open'd a Preſs-Bed in his Parlour, and took away a Muſquet they found in his Bed-Chamber. Mr. *Fanning* asked them if their Authority to ſearch was general or particular, they ſaid it was to ſearch all ſuſpected Places: The Court taking Notice, that Mr. *Fanning* in his Examination annex'd to the Memorial, depoſed; That *David Snell*, one of the Searchers told him, they had Orders from the High-Conſtable to ſerve the reſt of the neighbouring Clergy, in the ſame Manner, queſtion'd him concerning the ſame. Mr. *Fanning* ſaid, that after *Snell*, and his Company had ſearched his Houſe, he asked *Snell* whether he had Orders

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to ſerve the reſt of the Clergy ſo, That *Snell* ſaid if they had Time, he believed they would go to Mr. *Mac-Neals*, and Mr. *Newton*'s, who are two Clergymen in his Neighbourhood, and that their Order would bear ſo much; but Mr. *Fanning* owned, that *Snell* did not uſe the Words ſet down in his Examination annexed to the Memorial, *viz.* That *David Snell* of *Ballymony*, who was one of the Searchers, told the Examinat that they had Orders from the High-Conſtable to ſerve the reſt of the neighbouring Clergymen in the ſame Manner: Mr. *Fanning* further depoſeth, That Mr. *Newton* told him, he believed, his the ſaid Mr. *Newton*'s Houſe had been ſearched, had it not been for Mr. *Porter* who is a *Diſſenting* Teacher.

Mr. *Fanning*'s Servant Maid, *Nola Mac-Murphy*, depoſed, The Perſons who Searched above Stairs, made her open all her Maſter's Trunks; in ſome of them Linnen was lock't up, and by throwing it on the Ground, they put it out of the Folds, alledging, they did not know but Pocket-Piſtols might be hid in the Trunks; that theyſpitefully threw the Bed-Cloaths on the Floor when they ſearched the Beds, that one of them puſhed at Dr. *Mac-Naughton*'s Cloſet who was abroad with the Key, but was hindred from forcing open the Door by one of the Searchers, which Cloſet was not ſearched. Mr. *Fanning* depoſed, That his Servant Maid gave him the like Account on the Day of the Search, each of them owned that the Perſons who made the Search took nothing from thence but the aforeſaid Muſquet; which Mr. *Fanning* ſaid was for the defence of his Houſe.

It appeared to us by the Oath of *Hugh Brown*, who was one of the Perſons that made the Search in Mr. *Fanning*'s Houſe: That *Brown*, with Six more of the Militia, did it by Virtue of a Warrant they had from the High-Conſtable; who was required by Warrant, from two Juſtices of the Peace, to cauſe Search to be made for Arms in all ſuſpected Places in that Barony; *Brown* produced and proved the High-Conſtable's Warrant for making ſuch Searches: And we take leave to obſerve to Your Excellencies, that it appeared to us by the Teſtimony of the High-Sheriff, that the above-mention'd Order from the Juſtices of the Peace, to the High-Conſtable, was grounded on an Order from Your Excellencies in Council, dated the 14*th* of *January*, 1715. Intimating, that the *Pretender* was landed in *North Britain*, and requiring all Magiſtrates to ſecure the Arms of ſuſpected Perſons, *&c.*

*Hugh Brown* being asked by the Court why he ſearched Mr. *Fanning*'s Houſe, anſwer'd, it was a common Report in the Country, that Mr. *Fanning* was a Perſon diſaffected to the Government: That *John Moor*, *James Young*, and *Daniel Carr*, had frequently declared Mr. *Fanning* was a diſaffected Perſon. *Brown* ſaid he believed ſome of them was in Court, and that they could prove the ſame.

*John Moor* being called, appeared, and was Sworn, and owned that he had ſeveral Times before the Search was made at Mr. *Fanning*'s, acquainted ſeveral of his Neighbours, that Mr. *Fanning* was diſaffected to his Majeſty's Government.

ment. *Moor* being asked what Reaſon he had for ſaying ſo, Depoſed, that on the 3*d* of *December* laſt, he was with Mr. *Fanning*, Dr. *Robinſon*, and *David Miller*, when Mr. *Fanning* began a Health to the Duke of *Ormond*, *that he believed him one of the beſt Peers that ever was in the Kingdom.* That *Moor* oppoſed the Health, *Fanning* replyed, *if you will not let me Drink it, I hope you will let me Drink a Health to poor* James Butler *now begging in* France. *John Moor* further depoſed, That about the beginning of *January* laſt, he ſhewed Mr. *Fanning* the Publick News, which Mr. *Fanning* read, and then ſaid, *it had been better for the King he had not put off the former Miniſtry, for this Miniſtry would cheat the King and Country, and pocket their Money; but the other Miniſtry was always juſt, eſpecially the Duke of* Ormond, *who was one of the honeſt Men in the World.*

*James Hamilton*, Eſq; depoſed, That Dr. *Robinſon* gave in an Examination before him, in which he ſaid he did not remember that Mr. *Fanning* ſpoke the Words mention'd in *Moor*'s Examination; being examined to the Character of *John Moor*, Mr. *Hamilton* ſaid, Mr. *Moor* was always reputed an honeſt Man.

The Council for the Perſons who made the Search, call'd other Perſons to prove Mr. *Fanning*'s Diſaffection, but afterwards declin'd examining further into Mr. *Fanning*'s Character, inſiſting that the common Repute in the Country was ſufficient Ground for the Search, and ſaid they would therefore avoid the invidious part of their Brief.

That

That Mr. *Fanning* being examined whether h
had any other Hardſhips impoſed on him, ſaid
That about three Weeks after his Houſe was ſearch
ed, the Town Watch came to his Houſe about Mid
night, and as his Servants told him, threatned
to break open the Door, but his Man-Servan
opened it, and the Watch would have that Ma
to go with them to the Watch, but Mr. *Fannin*
told them, he thought a Clergyman was exemp
from that Duty, and that he would not ſpare h
Servant, but owned he had been deſired by an In
habitant of the Town, who was neither a Con
ſtable or other Officer, to ſend a Man that Nigh
to the Watch; he added, that he took out a War
rant againſt *Daniel Mac-Glaſſen*, who was one o
the Watch which came to his Houſe in manne
aforeſaid, but was told by another of the Watch
men, out of kindneſs, that they threatned ſtrang
Things againſt him; and that if he Execute
the Warrant, it would be a black Warrant to him
and ſaid that the Diſcouragements he lay unde
were, from his Houſe being ſearched, and his be
ing diſturb'd by the Watch as aforeſaid; bein
asked whether he was at any Time diſturbed i
the Exerciſe of his Function, ſaid, he could juſtl
ſay he was in many other Inſtances, but at tha
time gave no Inſtances of them, nor named an
Perſons who had ſo diſturbed him: being aske
whether he knew any others of the Clergy in tha
Dioceſe who were diſcourged or diſturbed, ſai
he knew none but Mr. *Martin*, and Mr. *Stewar*
by the Searches lately made at Mr. *Martin*
Houſe at *Balentoy*.

Afterwards he added, That being invite
ſinc

ſince the Memorial was laid before the Lords Juſtices, to the Funeral of a *Presbyterian*, he Reſolved to Read the Church Service on that Occaſion, but was diſſwaded by his Friend Mr. *Wolloughby* a Churchman, who ſaid he dreaded the Conſequence, but did not tell him from whom he apprehended the Diſturbance; and that the *Sunday* after his Houſe was ſearched, his Congregation was a Third Part leſs than before, occaſioned, as he believes, by Searching his Houſe, but did not name one who abſconded himſelf; he then referred to the Teſtimony of *Robert Mac-Curdy*, to prove how Churchmen had been diſcouraged; who being ſworn, ſaid, he formerly was a *Diſſenter*, but quited them, and went to Church about Seven Years ſince, and hath been upbraided by the Boys for it. That *John Wilſon*, and his Son, ſaid he got two Guineas for doing ſo: That Mr. *Porter* the *Presbyterian* Miniſter, asked him why he left them, and whether he ſaw better Light in the Church, than in the Meeting; and told him he had need to take care of himſelf; but ſaid nothing reflecting on the Church. That *Joſeph Miller*, Labourer, a *Diſſenter*, told him ſince the Rebellion in behalf of the *Pretender* broke out, the High Church was in Danger; and that he would pay no Tyths to any but his own Teacher.

Mr. *Fanning*, to prove Churchmen were deterr'd from coming to Church, further depoſed, That the *Sunday* after his Houſe was ſearched, his little Flook rejoiced to ſee him, and admired his

his Courage in coming to them, the Perſons who told him ſo were *Archibald Mac-Fall*,, and *Fergus Mac-Neal*. Being asked if any of his Pariſhioners told him they were afraid to go to Church, he anſwered, that *Archibald Mac-Fall* told him it was now hard for a Man to own himſelf a Churchman; Mr. *Fanning* being asked whether he was terrified, ſaid he was not, but believes, the Search made in his Houſe diſcouraged ſome of his Pariſhioners from coming to Church; being asked the Cauſe of his Belief, ſaid, it proceeded from what *Archibald Mac-Fall*, and *Fergus Mac-Neal*, told him as aforeſaid: being deſired to name any of his Pariſhioners that were terrified from going to Church, ſaid, he could not name any, but believes ſeveral were diſheartned, particularly *Robert Mac-Curdy*, to whoſe above Depoſition he referred for the Proof thereof.

The Council for the Memorial then proceeded to prove the Search made at Mr. *Stewart*'s in *Balentoy*, on the 11th of *February* laſt, as alſo the Search made the ſame Day at Mr. *Martin*'s, which with that of Mr. *Fanning*'s, were all the Searches mentioned in the Examinations annexed to the Memorial.

Mr. *J. Smyth* a Clergyman, another of the Perſons whoſe *Examination* was affixed to the *Memorial*, depoſed,

poſed, that on the 11th of *February* laſt, Mr. *Gueſt* Sub-Sheriff of the County of *Antirm*, and Captain *Boyd* went to *Balentoy* Houſe, attended by ſeveral of the Militea; and the Sub-Sheriff told the Deponent, he had Orders to ſearch the Houſe for Arms, and ſuſpected Perſons; Mr. *Smyth* ſaid, he hoped they would find few ſuch Perſons among them; but was anſwered, that is as Time ſhall try; when they came to the Houſe, Mr. *Smyth* told them, ſome Ladies were there with Child, who Perhaps might be frightned; upon which the Sub-Sheriff order'd the Militia that were with him, to remain without Doors, which they did; Mr. *Gueſt* deſired leave to ſearch the Houſe, which Mr. *Smyth* readily granted, and accompanied Mr. *Gueſt* in the ſearch; That Mr. *Gueſt* behaved himſelf civily in making the ſearch: After they came down Stairs, Mr. *Boyd*, told the Sub-Sheriff, the Houſe had not been ſufficiently ſearched; and ſaid, they were informed ſuſpected Perſons were conſealed in the Houſe: Mr. *Smyth* then preſs'd them to ſearch again, but they would not: That the Sub-Sheriff ſaid, he muſt give an Account of the Arms, (being about Eleven Muſquets, beſides the Fowling-Pieces;) Mr. *Smyth* aſſured him, they ſhould be ſecured till Mr. *Stewart* returned: That the High-Sheriff, ſome Hours after coming to Town; Mr. *Smyth* told him of the ſearching the Houſe by his Sub-Sheriff, who ſaid, It was not done by his Direction, but by Orders from ſome Juſtices of the Peace: Mr. *Smyth* replyed, it was unkind Treatment to a Brother Juſtice, and a Clergyman, the Sheriff, and Mr. *Moor* of *Antirm*, ſaid, they had Informations, that ſeveal ſuſpected

Perſons were concealed in that Houſe, but they made no further ſearch tho' deſired; they left the Arms in the Houſe, till Mr. *Stewart* returned: Mr. *Smyth* being aſked, if Mr. *Porter* was there, he ſaid he ſaw one who was named *Porter*, when the Sheriff was there; ſays, Mr. *Porter* did not ſearch; no Body acting therein but the Sub-Sheriff. He added, that after the High Sheriff and Company were gone, he ſpeaking to Mr. *Cuppage*, ſaid, ſure they are not Churchmen, who would ſearch the Houſe of a Clergyman; to which he anſwered, he did not know one Churchman there but the High-Sheriff, and Mr *Moor*; and that he intended to go to Officiate at his Pariſh, but was ſo diſcouraged by that ſearch, that he was afraid to go; yet owned that he never was hinder'd or interrupted in the exerciſe of his Office. Mr. *Smyth* depoſeth, That *Mac-Cock*, forced away *Alexander Stewart*'s Boat without conſent, and that *Smyth* offered Money to ſtop *Mac-Cook*.

Mr. *Archibald Stewart*, a Clergyman, and the Juſtice of the Peace, who took all the Examinations annexed to the Memorial, depoſed; That on his return to *Balentoy*, he was told, that ſeveal *Diſſenting* Teachers had been at the Searching of *Balentoy* Houſe; but on enquiry, found none of them had been there, but Mr. *Porter*: And that he was ſatisfy'd, by a Relation of his own, that Mr. *Porter* went thither to ſerve ſome Friends of his who were taken up; believes Mr. *Porter* was not concern'd in the Search, and that he was named in the Memorial by miſtake, that the Biſhop of *Down*, wrote to the Deponent, to know what

what was done at that Search; and whether any *Diſſenting* Teachers were there, of which Matter he gave his Lordſhip an Account, and received another Letter from his Lordſhip, directing him, to take and ſend up Examinations on Oath of thoſe Matters to him, which he accordingly did; which are the Examinations annexed to the Memorial. He confeſſes he bound over no Perſon to proſecute; he depoſed, That the Houſe and Land of *Balentoy*, tho' his Eſtate, is Lett by Contract to his Brother *Alexander Stewart*, at a certain Rent; and that he allows his Brother a Sum certain for keeping a Table; and believes numbers in the Country, believe it to be his Brothers Houſe, and numbers of them believe it to be his.

*Laughlin Mac-Neal* depoſed, That he had heard Mr. *Archibald Stewart*, had Sett the Houſe, and Lands of *Balentoy* to his Brother *Alexander Stewart*, but that he notwithſtanding believed, it was Mr. *Archibald Stewart*'s Houſe.

Mr. *John Martin*, a Clergyman, who had ſworn one of the Emaminations, annexed to the Memorial, not appearing; we directed his Examination to be read, which is in Effect following: That on the 11th of *February* laſt, the Sub-Sheriff, Mr. *Porter* the *Diſſenting* Teacher of *Buſh Mills*, with a Guard of about Thirty armed Men, all *Preſbyterians* as he believes; Searched the Examinant's Houſe narrowly, and ſaid they ſearched for his Son; but that by the ſtrictneſs of their Search, they had ſome other Views.

Dr. *Triſdal* then deſired, that Mr. *Porter*, being preſent when Mr. *Martin*'s Houſe was ſearched,

might be examined on Oath, to prove the Searching of that Houſe.

We then called for Mr. *Porter*, and told him, That he being a Party accuſed, he was not obliged to give Evidence; but if he was willing to be examined, and that thoſe who proſecuted the Complaint deſired he ſhould be Sworn, he then might be examined: *Porter* then conſented to be examined, and the Proſecutors deſired the ſame. *Porter* being Sworn, depoſed, that in *February* laſt, the Sub-Sheriff of the County of *Antrim*, and Capt. *Boyd*, came with a Party of Men to *Buſh-Mills*, where the Deponent dwells, that Captain *Boyd*, being his Acquaintance, ſent for him, and after ſome Diſcourſe, he aſked them, what was the Occaſion of their coming thither? they ſaid, Blood had been ſhed in that Country by *Mac-Cook*, and his Party, and that they came in queſt of Rebels, and to take up ſuſpected Perſons, and that the High-Sheriff was come with the *Poſſe Comitatus* to ſuppreſs thoſe rebellious People; they ſaid, they were Strangers in that part of the Country, and deſired the Deponent would go with them to ſhew them the Country, and wait on the High-Sheriff, who would be at *Balentoy* the next Day, That Lieutenant *Stewart*, then in Cuſtody of the Sub-Sheriff, as a ſuſpected Perſon, being a former Acquaintance of the ſaid *Porter*'s, deſired him to ſee what his, the ſaid Lieutenant *Stewart*'s, Fait would be, when the Sub-Sheriff ſhould deliver him over to the High-Sheriff. *Porter* thereupon agreed to go with them to wait on the High Sheriff; he ſwore he did not ſearch for Arms, nor aſſiſt in any Search whatſoever; but ſaid, as they were

on

on the Road to meet the High Sheriff at *Balentoy*, the Sub-Sheriff and his Company turn'd out of the Road, and went towards Mr. *Martin* the Clergyman's Houſe, that *Porter* ſtopt, aſking them why they went that way? the Sub-Sheriff told him, That Mr. *Martin*'s Son was a ſuſpected Perſon, and that they had Orders to ſeize ſuch Perſons. *Porter* told them, he would not go with them, there being a neighbourly Correſpondence betwixt him and Mr. *Martin*: Lieutenant *Stewart* preſſed him not to leave them till they met the High-Sheriff; nevertheleſs *Porter* ſtopt for ſome time, and went after them at a diſtance, leaſt his appearing with them might be miſconſtrued by Mr. *Martin* his Neighbour. That Mr. *Porter* ſome time after alighted, and Mr. *Martin* met him in his Entry with the Sub-Sheriff and Captain *Boyd*, and ſaw nothing but Civility on both ſides; and having drank a bottle of Beer with Mr. *Martin* and his Wife, he proceeded with the Sub-Sheriff and his Company to the Town of *Balentoy*; as ſoon as he came into the Town of *Balentoy*, he went into an Ale-houſe, where he continued with *John MacGown*, and ſtaid till he heard the High-Sheriff was coming, he then went to the Door, and he ſaw Mr. *James Smyth* the Clergyman, the High-Sheriff and others, go toward *Balentoy* Houſe; Lieutenant *Stewart*, at whoſe Inſtance he came abroad, invited him down to the Houſe, he being related to the Family there, that he neither ſaw nor heard any thing of a Search being made there; but afterwards was told, before the High-Sheriff came, that the Sub-Sheriff had ſearched there for ſuſpected Perſons. Mr. *Porter* being aſked who was reputed in

the

the Country to be the Poſſeſſor of the Houſe of *Balentoy*, he anſwered, that Mr. *Alexander Stewart* was the reputed Poſſeſſor or Houſe-keeper, and Mr. *Archibald Stewart* his Brother, a Lodger with him, Says, when he went down to the Houſe, he ſaw there the High-Sheriff, Mr. *Moor*, a Juſtice of the Peace, Lieutenant *Luin*, an Officer in the King's Army, Mr. *Boyd*, Capt. *Mac-Alace*, Mr. *Jackſon* of *Dromowool*, and others.

Mr. *Porter* further depoſed, that on his return homewards that Night, he was ſo far from apprehending that he had done any thing diſobliging to his Neighbour Mr. *Martin*, that he called on him, that Mr. *Martin* receiv'd him with uſual Friendſhip, and did not expreſs the leaſt reſentment towards him, and conſulted him what he ſhould do in his Son's Affair, whereupon *Porter* adviſed, that his Son ſhould give in Bail; and after ſome Friendly Converſation, Mr. *Porter* returned Home, and, as he thought, they parted very good Friends. *Porter* being aſked, if any *Preſbyterian* Houſes were ſearched, he ſaid he knew of none. Being aſked whether, the Perſons who were with the Sub-Sheriff at Mr. *Martins*, were *Preſbyterians*, he ſaid, he knew but few of them, and ſuch as he knew were *Preſbyterians*, that *Andrew Mac-Cook*, who fled to *Scotland*, was a *Preſbyterian*.

The above Depoſitions of Mr. *Fanning*, *Nola Mac-Murphy*, Mr. *James Smith*, Mr. *Archibald Stewart*, *Laughlin Mac-Neal*, *Robert Mac-Curdy*, the Examination of Mr. *John Martin*, and the Depoſition of Mr. *Porter*, relating to the

Search

Search at *Martin*'s, were all the Proofs offered to make out the Allegations and Facts ſet forth in the Memorial.

We then declared, that if there were any Perſons in Court who could give Evidence, that the Clergy, or other Members of the Eſtabliſhed Church, had been ill treated by the Diſſenters in any other Inſtances, we would receive their Informations, and recommend it to the Grand Jury, to find Bills of Indictment againſt ſuch who ſhould appear to have offended therein: but no other Complaint was made, or Teſtimony offered on that behalf than as herein before is ſet forth.

The Council againſt the Memorial inſiſted, that the Searches in the County of *Antrim* were made in Purſuance of your Excellencies and the Privy Councils Printed Letters, or Orders, directed to the Magiſtrates of the ſeveral Parts of this Kingdom, by Perſons lawfully Authorized to make the ſame, who behaved Civily therein, and that there were Grounds of Suſpicion to juſtify the Searching the ſeveral Places wherein ſuch Searches were made.

For proof thereof, they inſiſted on two Printed Letters or Orders of Your Excellencies and the Privy Council, which the High-Sheriff produced in Court, and on a Printed Letter from Your Excellencies, directed to the High-Sheriff of the County of *Antrim*, which he alſo produced.

The firſt Letter from Your Excellencies and the Privy Council, bearing Date the 14th of *January*, 1715. was produced, which intimates, That Your Excellencies and the Council had received

ceived Notice, that the *Pretender* was Landed i
*North-Britain*, and recommends to all Magiſtrate
and others, whom it may concern, to put th
Laws againſt Papiſts in ſtrict Execution, and t
ſecure the Arms, ſerviceable Horſes, and Perſon
of all ſuch whom they ſhould have juſt Cauſe t
ſuſpect to be Inclinable and Capable to diſturb th
Peace of the Realm, they always taking care t
proceed therein as the Law directs, and as hath
been uſual in like Caſes of Danger.

II. And one other Letter, dated the 24th o
*January*, 1715. from Your Excellencies and th
Privy-Council, directed to all Governours, Deput
Governours, and Sheriffs of Counties, and to al
Mayors and Magiſtrates of Cities, and Juſtices o
Peace in the Kingdom, requiring them to Seize al
Gunpowder, and other Ammunition in the Hand
of all Shopkeepers, and other Perſons, making
Traffick thereof, tho' Proteſtants, to prevent th
Sale thereof to Papiſts, or other diſaffected Perſons

III. And a Letter dated the 30th of *January*
1715. from Your Excellencies to the Sheriff o
the County of *Antrim*, importing, that Your Ex
cellencies had reciev'd a Letter from one of the
Secretaries of State, that there was Reaſon to be
lieve this Kingdom would be ſuddenly invaded
and directing the putting the Militia into a Con
dition to go upon immediate Service, and that
upon the firſt Notice the Sheriff ſhould receive o
the Landing any Number of Men in thoſe Parts
in an hoſtile manner, the Militia ſhould be drawn
out to attack them, or be poſted ſo as ſhould be
conceived moſt proper, to hinder the Rebels from

being joyned by any ill diſpoſed Perſons in the Neighbourhood.

*Adam Luin*, a Lieutenant in His Majeſty's Army, being Sworn, depoſed, he was ſent the 3d of *February* laſt, by the Lords Juſtices, Expreſs to the Lord *Mark Ker*, then ſuppoſed to be in the County of *Antrim*, with Orders to ſend Men into the Root, and met his Lordſhip on the Road, who read the Orders, and directed the Deponent to deliver them to the Mayor of *Carrickfergus*; and added, That a Liſt of Names of Perſons ſuſpected to have been Officers in a Regiment to be rais'd by Lord *Antrim*, had been ſent to the Secretary long before the Houſe of *Balentoy* was ſearch'd, in which Liſt *Alexander Stewart* of *Balentoy* was named as one of the Captains. That afterwards the Deponent went with the High-Sheriff into the Root, to aſſiſt him in apprehending diſaffected Perſons.

*Edward Clemens*, Eſq; High-Sheriff of the County of *Antrim* being Sworn, depoſed, That in *February* laſt, after the receipt of the Governments above-mentioned Orders, he receiv'd a Letter from Mr. *Agnew*, importing, that he was informed by the Conſtable of *Glanarm*, that a Rebellion was broke out in the *Root*, in two Parties, one under *Mac-Cook*, the other under *Henry Stafford*, That Mr. *Agnew* likwiſe incloſed to him a Letter which he had from the Reverend Mr. *Vaughan*, who dwells in thoſe Parts, expreſſing the mighty Conſternaton the Proteſtants were in, in that part of the County; whereupon the High-Sheriff immediately diſpatched Orders to the Officers of the Militia, to meet him next Morning at *Ballymenagh*, with their beſt Men and Horſes, well armed, to go and Suppreſs the Men in Arms with *Mac Cook* and *Staff rd*

before they got to a Head, That the High-Sheriff meeting at, *Ballymenagh* more Men than he thought neceſſary to take with him, he diſmiſſed all but one Hundred Horſe, in the Choice whereof he depoſed, that he gave no Preference to Diſſenters but regarded only ſerviceable Men and Horſes and apprehending it was proper to ſearch the Lord of *Antrim*'s Houſe for Arms and ſuſpected Perſons he ſent Captain *Boyd*, with about Thirty of the Militia, To ſearch the Lord *Antrim*'s Houſe, and ſent his Sub Sheriff with Captain *Boyd* to prevent any Abuſes that might be committed by the Militia, and then gave verbal Orders to his Sub-Sheriff to meet him the next Day at *Balentoy*, and to ſecure all ſuſpected Perſons he ſhould meet with in his Way. That the High-Sheriff the next Day went to *Balentoy*, to ſearch for and ſeize *Mac Cook*'s Goods who had murdred a Man in the Country, and made off to *Scotland* in Mr. *Stewart* of *Balentoy*'s Boat, That when he came to *Balentoy* Mr. *Smyth*, a Clergyman invited him to Mr. *Stewart*'s Houſe, were he told him, the Houſe had been ſearched by the Sub Sheriff; to which the High-Sheriff reply'd, he was ſorry for it, for that he had given no particular Orders to ſearch that Houſe, but general Orders to ſearch all ſuſpected Places, where there was Reaſon to believe diſaffected Perſons were ſheltred. Mr. *Smyth* then deſired the High-Sheriff to ſearch the Houſe again, but he refuſed it; Mr. *Smyth* then told the Sheriff, that the Sub-Sheriff had taken Notice of the Arms in *Balentoy* Houſe; on which the High-Sheriff told him, he would not meddle with the Arms: Being further examined, he depoſed that he had no Deſign, neither was there any Hint given

given to him to prefer the Diſſenters to the Churchmen in that Service.

*Samuel Gueſt*, Sub-Sheriff, being ſworn, depoſed, That he went by the Command of the High-Sheriff, with Captain *Boyd*, and about Thirty of the Militia, to ſearch the Lord of *Antrim*'s Houſe: And with intent to ſecure *Francis Bourk*, and Lieutenant *Stewart*, as ſuſpected Perſons; *Bourk*, with a Servant and two Geldings, eſcaped about half an Hour before the Sub-Sheriff reached that Place; but Lieutenant *Stewart* was apprehended by him, and carried Priſoner towards *Balentoy*, where they were to meet the High-Sheriff the next Day. That they lay that Night on the Road to *Balentoy*, at a Place call'd *Buſh-Mills*; Captain *Boyd* ſent to Mr. *Porter*, a *Diſſenting* Teacher, who liv'd at *Buſh Mills*; and was his former Acquaintance, and deſired him to go with him to wait on the High-Sheriff at *Balentoy*: Whereupon Lieutenant *Stewart*, the Priſoner, being alſo an Acquaintance of Mr. *Porter*'s, importun'd him to go with him; to know what his Fate would be when the Sub-Sheriff delivered him over to the High-Sheriff. The Sub-Sheriff, then told Mr. *Porter*, who ſeemed unwilling to leave him, that it was his Duty to wait on the High Sheriff, when he came into that Part of the Country; *Porter* then agreed to go with them, to wait on the High-Sheriff; and to ſerve his Friend, Lieutenant *Stewart*, then the Sub-Sheriff's Priſoner. Mr. *Gueſt* further depoſed, That Mr. *Porter*, no Way encouraged them to ſearch *Balentoy* Houſe, neither did he ſee *Porter* there, whilſt he was ſearch-

ing there; nor does he believe *Porter* was a
Way concerned therein. Mr. *Gueſt* own'd, tha
after he ſet out from *Buſh-Mills*, whilſt he wa
on the Road to *Balentoy*, *William Caldwell* inform'
him, that Mr. *Martin's* Son had expreſs'd muc
Diſaffection to his Majeſty's Government, an
that he could produce Proof to make out th
ſame. On this Information, Captain *Boyd*, an
Mr. *Gueſt*, went to Mr. *Martin's* Houſe, in Order t
apprehend his Son; whereupon Mr. *Porter* ſtop
and ſaid he would not got with them there, M
*Martin* being his Neighbour and Friend: Tha
when the Deponent and Captain *Boyd* reache
Mr. *Martin's* Houſe, they enquired of him fo
his Son, who ſaid he was not within; the Sub
Sheriff deſired leave to go in and ſee, *Martin* re
ply'd, he was Welcome. The Sub-Sheriff thereupo
look't into the Parlour and Kitchin, and ſearche
no farther, and *Martin* was ſo well ſatisfy'
with their civil Behaviour, that Mr. *Martin* de
ſired them to drink with him, which they di
and before they parted, Mr. *Porter* came up b
himſelf; *Martin* invited him in and drank to him
and then they parted Civilly, and went forwar
to *Balentoy*, that when they reached that Plac
Mr. *Gueſt*, and his Company, put up their Horſe
in the Inn. Soon after Mr. *James Smyth*, th
Clergyman, came to the Deponent *Gueſt* who aſk
him, if that (pointing at the Houſe which he a
terwards ſearched,) was Mr *Alexander Stewar*
Houſe; Mr. *Smith* ſaid it was, and deſired th
Sub-Sheriff to go down to the Houſe: That a
they went the Sub-Sheriff told Mr. *Smyth* he ha
Information, that diſaffected Perſons were co
ceale

ealed there, Mr. *Smyth* very readily reply'd, he might ſearch the Houſe; whereupon Captain *Boyd*, and the Deponent went into the Houſe, and left the Militia without Doors, leaſt the Ladies might be frightned, that Mr. *Smyth* and a Lady in the Houſe went through the Rooms with the Sub Sheriff, but no ſearch was made in Trunks, or ſuch like Places; when the Deponent returned to the Hall, he aſked, whoſe Arms thoſe were; there being about Eleven Muſquets, and ſome Fowling-Pieces; Mr. *Smyth* ſaid, they were Mr. *Stewarts* of *Balentoy*, and aſked if he would ſeize them, the Sub-Sheriff ſaid no; for they were a Gentlemans, and no doubt he would be anſwerable for them. The Sub-Sheriff then aſked, if *Andrew Mac Cook*, (who had fled for Murder,) had any Goods there; Mr. *Smith* readily anſwer'd he had, and ſent for the Key of an Out-Houſe; where *Mac Cook*'s Goods were, which being opened, the Sub-Sheriff, found ten Barrels of Beef, ſixteen Caſks of Butter, two Boxes of Candles, of about two Hundred Pound weight, one Hundred weight of Cheeſe, one Hundred weight of Soap, which belonged to the ſaid *Mac-Cook*. The Sub-Sheriff being requeſted to declare on his Oath, whether any *Preſbyterian*, or other *Diſſenter*, had propoſed to him, or encouraged him, to ſearch the Houſes of Clergymen, he anſwer'd, that no *Diſſenter* whatſoever at any Time propoſed, deſired, or encouraged him to ſearch any Clergymans Houſe, or to do them the leaſt Incivility: He further ſaid, that when he ſearched *Balentoy* Houſe, he really believed it then to be the Houſe of Mr. *Alexander Stewart*,

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the Lord of *Antrim*'s Seneſchal, and ſtill believes the ſame; that he ſearched it as ſuch. That Mr. *Smyth* ſhewed it to him as ſuch, and that afterwards, Mr. *Alexander Stewart* at *Antrim*, thank'd the Deponent for the Civility he ſhewed in that Search.

Captain *Boyd*, who was with the Sub-Sheriff at the Searches made at the Earl of *Antrim*'s, at Mr. *Martin*'s, and at *Balentoy*, was Sworn, and ſaid, he heard the Account given in Court by Mr. *Gueſt*, relating to thoſe Searches, and to Mr. *Porter*'s Behaviour whilſt he was with him, and that the ſame, as ſet forth by Mr. *Gueſt*, was true in every particular.

*William Caldwell* Depoſed, he was the Perſon who told the Sub-Sheriff, that *Martin*'s Son was diſaffected to the Kings Government, being aſked why he ſaid ſo, anſwered, becauſe he Drank the Duke of *Ormonde*'s Health laſt Winter at *Buſh-Mills*, and in otherplaces, and for Proof thereof, deſired *John Moor* might be Examined to the ſame, who being further Examined, confirmed what *William Caldwell* had ſaid.

The Council againſt the Memorial, here cloſed their Evidence.

Mr. *Archibald Stewart* then inform'd the Court, he had given two Examinations to the Clerk of the Crown, relating to the matters in the Memorial, the Clerk of the Crown declared that from *Wedneſday* till *Friday* Night, he had no ſuch Examinations returned him, and then late at Night, Mr. *Stewart* had given him two Examinations, but no Perſon was bound, or appeared to him to Proſecute thereon; That he had not time to draw Bills thereon,

before

before the Sitting of the Court, that the Bills were then Ready, which with the Examinations he in Court delivered to the Grand-Jury.

The Court told Mr. *Stewart*, had he returned the Examinations in time, or acquainted them there had been ſuch Bills, they would have waited till they were Returned from the Grand-Jury, and if they had been Found, would have proceeded thereon, before they had Examined any of the Witneſſes produced by the Parties complained of, the Grand-Jury then withdrew, and the Court Adjourned till the Afternoon.

I. We hold Ourſelves obliged to obſerve to Your Excellencies on this long Evidence, that no Clergyman's Houſe in the Dioceſe of *Connor*, and County of *Antirm*, was Searched for Arms, or ſuſpected Perſons, from His Majeſtys Happy Acceſſion to the Throne, till the firſt Day of *Feb.* laſt.

II. That the Searches then, and ſince that time made in that County, were made by Perſons Authorized to make the ſame by Warrants or Orders from the High-Sheriff, Juſtices of the Peace, or High Conſtable of the Barony, after Your Excellencies, and the Privy Council, had, by your and their Printed Orders, directed the Securing the Arms of ſuſpected Perſons.

III. That in the County of *Autrim*, thoſe Baronies only were ſearched, which joyned the Sea Coaſt oppoſite to *Scotland*, and in or near to the Eſtate of the Earl of *Antrim*, then a Priſoner in the Caſtel of *Dublin*, and after the *Pretender* was landed in *Scotland*

IV. That in all thoſe Searches, only one Clergyman's

gyman's Houſe was ſearched for Arms, *viz.* Mr. *Fanning*'s, who, as *Hugh Brown* depoſed, was reputed in that Country to be diſaffected: That only two Houſes, wherein Clergymen dwelt, were ſearched for ſuſpected Perſons, *viz.* The Houſe of *Balentoy*, wherein *Archibald Stewart*, the Clergyman, lodged with his Brother *Alexander Stewart*, the Earl of *Antrim*'s Seneſchal; and the Houſe of Mr. *Martin*, whoſe Son *William Cladwell* was charged with Diſaffection to the Government; on which Account the Sub-Sheriff went to his, the ſaid *Martin*'s Father's Houſe, to apprehend him.

V. That it did not appear to us, any Diſſenting Teachers promoted, was preſent, or concern'd in any of the ſaid Searches; nor were any Orders given in particular to ſearch the Houſes of Clergymen.

VI. It appear'd, that Mr. *Potrer*, the Diſſenting Teacher, did not go to *Balentoy* to ſearch Mr. *Stewart*'s Houſe, nor concern himſelf therein, his going there being upon another Occaſion.

VII. That the Perſons who made ſuch Searches behaved themſelves with Reſpect and Civily, in every Inſtance, other than that of Searching Mr. *Fanning*'s Beds and Trunks, which he reſented as Rude and Uncivil.

VIII. That no Arms, or other Goods, were taken from any of the Perſons whoſe Houſes were ſearched, except one Muſquet that was taken from Mr. *Fanning*.

On *Saturday* Night the Grand Jury returned *Ignoramus* on the Two Bills which were drawn on the Examinations, given in on *Friday* Night by Mr.

Mr. *Archibald Stewart:* Then they brought in their Preſentments, and by their Foreman delivered to the Court the following Anſwer to the Memorial; which Anſwer all the Grand Jury ſubſcribed. And is as follows.

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To the Right Honourable the Lords Juſtices of Aſſize for the North-Eaſt Circuit of *Ulſter.*

*The Report of the Grand Jury of the County of* Antrim, *at an Aſſizes and General Goal Delivery, held at* Carrickfergus, *in and for the ſaid County, on* Wedneſday *the 28th Day of* March, 1716.

YUOR Lordſhips, by the Command of the Government, having directed us to enquire into the Facts contain'd in the Memorial of the Lord Primate, and of the Lord Biſhop of *Down* and *Connor.*

We the Grand Jury, who are here from all Parts of this County, were ſurpriz'd to find, that Matters of ſo publick a Nature could happen in this County without the knowledge of any of us: before the ſaid Memorial, with the Examinations thereunto annexed were laid before us by Your Lordſhips.

We think our ſelves oblig'd to pay that Regard to Truth, as to preſent, and on the Oaths we have taken, to declare, That on the moſt ſolemn and ſtrict Enquiry we are capable of making, no one Clergyman of the Eſtabliſh'd Churh in our County has, ſince His Majeſty's happy Acceſſion to the Crown, been diſcouraged from the performance of his Religious Duties; neither have any of the Laiety been terrify'd from coming to the Service thereof, as is in the Memorial ſet forth.

We further find, that no Search for Arms or ſuſpected Perſons have been made in any part of this County but on or near the Sea Coaſt, where part of the Earl of *Antrim*'s Eſtate lies overagainſt *Scotland*, and not until one *Andrew Mac Cock* had appear d in Rebellion, and committed a Murther in thoſe Parts, who, with ſeveral other Perſons, afterward fled into *Scotland*, and that ſeveral Perſons were preparing to go off to the Lord *Marr* then in *Scotland*.

That in the Places ſearch'd, there were not over Two Clergymen's Houſes ſearch'd on that Account; which Searches were made by Perſons impower'd by the Sheriff, Sub Sheriff, Juſtices of the Peace, or High Conſtable, by Perſons who made it appear on Oath before us, that they had reaſonable Ground to make ſuch Searches.

That in the aforeſaid Searches there was no Diſorder or Rudeneſs committed, and but one Muſket taken; neither doth it appear to us, that Mr. *John Porter*, complained of in the ſaid Memorial, nor any other of the Diſſenting Teachers, were active or concern'd in any of the ſaid Searches.

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This Affair being out of our common Way of Proceeding, we hope the Informality of this our Return will be excus'd, and that this our Repreſentation, together with the Examinations taken this Day in open Court before your Lordſhips, and in our Preſence, may be laid before the Government, to convince the World, that the Eſtabliſh'd Church in this County and Dioceſe is in a ſafe, peaceable, and flouriſhing Condition, under the juſt and equal Adminiſtration of our Sovereign Lord King *George*, who has our daily Prayers, that He may overcome the Spite, Malice, and dark Deſigns of His Secret, as He has thoſe of His open Enemies.

All which Matters herein before ſet forth, are humbly ſubmitted to Your Excellencies Conſideration.

*Dublin*, *April* the 21ſt, 1716.

*John Foſter*,
*James Macartney*.

A True Copy, *E. Budgell*.

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*F I N I S.*